

**GOVERNMENT OF TELANGANA  
ABSTRACT**

Tribal Welfare Department – Telangana State – Adilabad District – Issue of Agency Area Local ST Certificates under GO Ms.No.24, dt.12.6.2018 of TW (LTR) Department – Cancellation of certificate by the District Collector, Adilabad District vide Procgs.Rc.No.C3/2596/2019-42, dt. 30.01.2020 - Appeal filed by Jadhav Mounika D/o Bhojya R/o Venkatapur village of Neradigonda Mandal in Adilabad District – Appeal allowed – Orders – Issued.

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**TRIBAL WELFARE(LTR) DEPARTMENT**

**G.O.Ms.No. 19**

**Dated: 31-10-2020**

**Read the following:-**

1. GO Ms.No.24, TW (LTR) Department, dated 12.6.2018.
2. Procgs.Rc.No C3/2596/2019-42, dt.30.01.2020 of Dist. Collector, Adilabad.
3. Appeal petition filed by Jadhav Mounika D/o Bhojya R/o Venkatapur village of Neradigonda Mandal in Adilabad District, dated 04.02.2020.
4. Govt.Memo.No.226/TW.LTR/2020, dated 13.03.2020
5. Lr.Rc.No.D5/309/2018, dated: 14.07.2020. of Dist. Collector, Adilabad
6. Notice No.226/TW.LTR/2020, dt. 28.08.2020.

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**ORDER**

In the reference 1<sup>st</sup> read above, Government have issued detailed guidelines for issue of Agency Area Local Scheduled Tribe Certificates to the local STs living in the Scheduled Areas and procedure to be adopted for cancellation of such certificates in case of fake/bogus claims.

2. In pursuance of the said Government orders under reference 1<sup>st</sup> read above, the District Collector, Adilabad District vide her orders in the reference 2<sup>nd</sup> cited, has cancelled Agency Area Local ST Certificate bearing No. Rc.No. C/292/2019, dated 04.01.2019 issued by Tahsildar Neradigonda Mandal to Jadhav Mounika D/o Bhojya R/o Venkatapur village of Neradigonda Mandal in Adilabad District, basing on the following observations of the Scrutiny Committee:

- Though the Tahsildar, Neradigonda has issued Agency Certificate vide No.C/292/2019, dt.04.01.2019, the following anomalies were found which is contrary to the provisions of GO Ms.No.24, TW (LTR.1) Dept. dated 12.06.2018.
- The applicant has not submitted his residence proof since 1950 and submitted land record is in the name of Sri Chandya S/o Sitya for the year 1965-66.
- No relevant documentary evidence has been produced by the applicant to prove residence of her forefather since 1950.

3. A show cause notice was issued to Jadhav Mounika D/o Bhojya to attend before the District Collector, Adilabad on 30.01.2020 to prove her claim as Local ST with relevant material/documents. Jadhav Mounika D/o Bhojya had attended before the Dist. Collector, Adilabad on 30.01.2020 and produced proofs only from 1965-66 but not from 1950.

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4. Aggrieved by the above cancellation orders of the District Collector, Adilabad District, father of the candidate Sri Jadhav Bhojya has filed Appeal petition before the Government vide ref. 3<sup>rd</sup> read above, under GO Ms.No.24, dt.12.6.2018 of TW (LTR) Department, and requested the Government to direct the District Collector not to take any coercive steps, declare Procs.No.C3/2596/2019-42, dt.30.01.2020 as null and void, declare her daughter as agency area local ST candidate as per GO Ms.No.24 and also direct the concerned authorities to issue or renew her Agency Certificate to enable her to produce the same to get appointment orders to the post of TRT SGT to which she has already been selected. The contentions of Sri Jadhav Bhojya father of Candidate and the documents submitted along with the Appeal are as follows:

- They belong to ST (Lambadi) community residing at Venkatapur village of Neradigonda Mandal in Adilabad District which is notified agency area from his fore-fathers.
- The Tahsildar, Neradigonda has issued Local ST Certificate to his daughter Jadhav Mounika as per GO Ms.No.24, TW (LTR) Dept. dt.12.06.2018 vide certificate reference No.C/292/2019, dated 04.01.2019, basing on the land record i.e. pahani produced for the year 1953 of Madhapur (non-agency) village of Neradigonda Mandal as landholder but mentioned residence as Venkatapur village, which is agency village.
- They are continuous residents of Venkatapur (agency village) since 1920 from their forefathers, but their forefathers were landless and used to work as labour looking after cattle-grazing of others, thus there was no land to them prior to 1950 in his fore-fathers names.
- Census for the year 1961 clearly establishes their nativity and residence.
- Tahsildar, Neradigonda after due enquiry with the village elders of Venkatapur and Kuntala-B, a neighbouring village, issued the Agency Certificate.
- Later, during verification, the District Committee verified the documents and recommended the case with remarks to the District Collector, Adilabad. Accordingly, the Dist. Collector, Adilabad rejected the Agency Certificate.

**Documents submitted along with Appeal Petition:**

1. Family Tree – Jadhav Seetya S/o Manjya is great grand-father of appellant. He has two sons viz., 1) Chandya and 2) Ramjee (grandfathers). Chandya (grandfather of appellant Mounica) has six sons viz., 1) Railu 2) Raichand 3) Nehru 4) Bhojya (father of appellant) 5) Sudershan and 6) Mohan. Bhojya (father of appellant Mounica) has three children viz., 1) Navneeth (son), 2) Mounika (daughter and appellant) and 3) Naveen (son).
2. Copy of pahani for 1965-66 of Madhapur village showing name of Chandya S/o Seetya (grandfather of appellant) R/o Venkatapur for an extent of acs.6.20 gts in Sy.No.1/7a.

3. Copy of pahani for 1969-70 showing name of Lambadi Chandya.
  4. Copy of pahani for 1984-85 of Madhapur village showing name of Chandya S/o Seetya (grandfather of appellant) R/o Venkatapur for an extent of acs.3.10 in Sy.No.1/7a.
  5. Copy of pahani for 2012-13 of Madhapur village of Neradigonda Mandal showing name of Chandya S/o Seetya (grandfather of appellant) for an extent of acs.3.10 in Sy.No.1/7a.
  6. Copies of pahanies from 2013-14 to 2018 of Madhapur village of Neradigonda Mandal showing name of Jadhav Bhojya S/o Chandya (father of appellant) for an extent of acs.1.10 gts in Sy.No.1/7a/1.
  7. Copy of pahani for 2019 issued through Mee Seva showing name of Sri Jadhav Bhojya S/o Chandya (father of appellant) for an extent of acs.1.10 gts in Sy.No.1/7a/1.
  8. Voter list for the year 1977, Part No.78, village: Venkatapur, Firka: Neradigonda, Taluq: Boath, Adilabad District – Sl.No.72 shows name of Seetya S/o Manjya and Sl.No.73 shows name of Chandya S/o Seetya in H.No.1-30.
  9. Voter list for the year 1998 for Polling Station No.130 of Venkatapur village – Sl.Nos.193,194 and 195 shows names of Sri Jadhav Chandya S/o Seetya, Jadhav Bhojya S/o Chandya and Jadhav Nirmala W/o Bhojya under H.No.1-64.
  10. Voter list for the year 2005 – Part No.124 for Venkatapur village – Sl.Nos.294, 295, 296 etc. shows names from Jadhav Chandya S/o Seetya, Jadhav Bhojya S/o Chandya etc.
  11. Voter list for the year 2010 – Part No.178 of Venkatapur village, Sl.No.305 shows name of Jadhav Bhojya S/o Chandya.
  12. Voter list for the year 2014 – Part No.204 of Venkatapur village, Sl.No.371 shows name of Jadhav Bhojya S/o Chandya.
  13. Local Scheduled Tribe Candidate Certificate issued by MRO, Neradigonda vide bearing No:C/111/2004, Dated: 04-02-2004.
  14. Agency Area Local ST Certificate issued by Tahsildar, Neradigonda vide Rc.No.126/2018, dt.29.06.2018.
  15. Agency Area Local ST Certificate issued as per GO Ms.No.24, TW (LTR) Dept. dt.12.6.2019, vide Rc.No.C/292/2019, dt.04.01.2019 by Tahsildar, Neradigonda.
  16. Gram Panchayath resolution on NJ stamp of Rs.100/- (@ Rs.50/- each) showing family tree as explained at Sl.No.1 and also certified that the family has been living since 1950 in the village doing labour work like looking after cattle prior to 1965 and working under one Bheemanaik S/o Lachu, Ramchander S/o Dharma and Samya S/o Bakshya for about 10 to 15 years.
  17. Declaration by village elders viz., 1) Lakma Naik S/o Chatrunaik, aged 95 years, 2) Rayulu S/o Samya, aged 80 years, 3) Smt.Samani Bai W/o Bheema, aged 90 years and 4) Redya S/o Jagya, 80 years all residents of Venkatapur village and certified by Sarpanch, GP Venkatapur of Neradigonda Mandal – stating that the family of the candidate Kumari Jadhav Mounia has been residing in Venkatapur village since 1950.
5. Vide reference 4<sup>th</sup> read above, the District Collector, Adilabad has been requested to submit original record pertaining to the case along with para-wise remarks.

6. Accordingly, vide reference 5<sup>th</sup> read above, the District Collector, Adilabad has submitted original record of the case along with para-wise remarks.

7. Vide reference 6<sup>th</sup> read above, a Notice has been issued to the Appellant to attend for hearing on 05.09.2020 at 11.00 AM before the Govt. to prove her claim along with documentary evidences. Accordingly, the Appellant has attended for hearing on 05.09.2020 and submitted the following documents:

1. Copy of pahani for 1965-66 of Madhapur village showing name of Chandya S/o Seetya (grandfather of appellant) R/o Venkatapur for an extent of acs.6.20 gts in Sy.No.1/7a.
2. Copy of pahani for 1969-70 showing name of Lambadi Chandya.
3. Copy of pahani for 1984-85 of Madhapur village showing name of Chandya S/o Seetya (grandfather of appellant) R/o Venkatapur for an extent of acs.3.10 in Sy.No.1/7a.
4. Copy of pahani for 2012-13 of Madhapur village of Neradigonda Mandal showing name of Chandya S/o Seetya (grandfather of appellant) for an extent of acs.3.10 in Sy.No.1/7a.
5. Copies of pahanies from 2013-14 to 2015-16 of Madhapur village of Neradigonda Mandal showing name of Jadhav Bhojya S/o Chandya (father of appellant) for an extent of acs.1.10 gts in Sy.No.1/7a/1.
6. Copy of pahani for 2019 issued through Mee Seva showing name of Sri Jadhav Bhojya S/o Chandya (father of appellant) for an extent of acs.1.10 gts in Sy.No.1/7a/1.
7. As per census sheet for the year 1961 of Venkatapur village, Neradigonda Firka under Boath Taluq – names of Chandya and Seetya were entered at Sl.Nos.29 and 30.

8. The Government have verified the record sent by the District Collector, Adilabad and found the following documents available on record:

1. Family Tree – Jadhav Seetya S/o Manjya is great grand-father of appellant. He has two sons viz., 1) Chandya and 2) Ramjee (grandfathers). Chandya (grandfather of appellant Mounica) has six sons viz., 1) Railu 2) Raichand 3) Nehru 4) Bhojya (father of appellant) 5) Sudershan and 6) Mohan. Bhojya (father of appellant Mounica) has three children viz., 1) Navneeth (son), 2) Mounika (daughter and appellant) and 3) Naveen (son).
2. Copy of pahani for Copy of pahani for 1965-66 of Madhapur village showing name of Chandya S/o Seetya (grandfather of appellant) R/o Venkatapur for an extent of acs.6.20 gts in Sy.No.1/7a.
3. Copy of pahani for 1969-70 showing name of Lambadi Chandya.
4. Copy of pahani for 1984-85 of Madhapur village showing name of Chandya S/o Seetya (grandfather of appellant) R/o Venkatapur for an extent of acs.3.10 in Sy.No.1/7a.
5. Copy of pahani for 2012-13 of Madhapur village of Neradigonda Mandal showing name of Chandya S/o Seetya (grandfather of appellant) for an extent of acs.3.10 in Sy.No.1/7a.
6. Copies of pahanies from 2013-14 to 2018 of Madhapur village of Neradigonda Mandal showing name of Jadhav Bhojya S/o Chandya (father of appellant) for an extent of acs.1.10 gts in Sy.No.1/7a/1.

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7. Copy of pahani for 2019 issued through Mee Seva showing name of Sri Jadhav Bhojya S/o Chandya (father of appellant) for an extent of acs.1.10 gts in Sy.No.1/7a/1.
8. Voter list for the year 1975, Part No.79, Venkatapur village, Firka: Neradigonda, Taluq: Boath – Sl.Nos.64,65,66,67,68 shows names of 1) Seetya S/o Manchya 2) Chandya S/o Seetya 3) Jami W/o Chandya 4) Mothibai W/o Seetya and 5) Ramjee S/o Seetya.
9. Voter list for the year 1977, Part No.78, village: Venkatapur, Firka: Neradigonda, Taluq: Boath, Adilabad District – Sl.No.72 shows name of Seetya S/o Manjya and Sl.No.73 shows name of Chandya S/o Seetya in H.No.1-30.
10. Local Scheduled Tribe Candidate Certificate issued by MRO, Neradigonda vide bearing No:C/111/2004, Dated: 04-02-2004.
11. Agency Area Local ST Certificate issued by Tahsildar, Neradigonda vide Rc.No.126/2018, dt.29.06.2018.
12. Agency Area Local ST Certificate issued as per GO Ms.No.24, TW (LTR) Dept. dt.12.6.2019, vide Rc.No.C/292/2019, dt.04.01.2019 by Tahsildar, Neradigonda.
13. Declaration by village elders viz., 1) Lakma Naik S/o Chatrunaik, aged 95 years, 2) Rayulu S/o Samya, aged 80 years, 3) Smt.Samani Bai W/o Bheema, aged 90 years and 4) Redya S/o Jagya, 80 years all residents of Venkatapur village and certified by Sarpanch, GP Venkatapur of Neradigonda Mandal – stating that the family of the candidate Kumari Jadhav Mounica has been residing in Venkatapur village since 1950.

9. As seen from the record and documentary evidences submitted by the candidate Kum.Jadhav Mounica before the Scrutiny Committee, along with Appeal and during hearing on 5.9.2020, the following observations are made against:

Findings of Committee for cancellation	Observation
The applicant has not submitted her residence proof since 1950 and submitted land record in the name of Sri Chandya S/o Sitya for the year 1965-66.	<p>As per family tree - Jadhav Seetya S/o Manjya is great grand-father of appellant. Jadhav Seetya has two sons viz., 1) Chandya (grandfather of appellant) and 2) Ramjee. Chandya (grandfather of appellant Mounica) has six sons viz., 1) Railu 2) Raichand 3) Nehru 4) Bhojya (father of appellant) 5) Sudershan and 6) Mohan. Bhojya (father of appellant Mounica) has three children viz., 1) Navneeth (son), 2) Mounika (daughter and appellant) and 3) Naveen (son).</p> <p>The land record for the year 1965-66 shows name of her grandfather Sri Chandya who purchased it from one Patya @ Rs.120/- as shown in Col.No.12 of the pahani for 1965-66. Since Sri Chandya is own grandfather of the appellant, she produced proof of their family residence from 1965-66.</p>

	<p>As per census sheet for the year 1961 of Venkatapur village, Neradigonda Firkha under Boath Taluq – names of Chandya and Seetya were entered at Sl.Nos.29 and 30. Therefore, their residence is proved from 1961.</p> <p>As seen from the PO record, GP resolution on NJ stamp of Rs.100/- (@ Rs.50/- each) shows family tree as explained at Sl.No.1 and also certified that the family has been living since 1950 in the village doing labour work like cattle grazing etc. prior to 1965 and also working under one Bheemanaik S/o Lachu, Ramchander S/o Dharma and Samya S/o Bakshya for about 10 to 15 years.</p> <p>All the local STs living in agency area may not have land from 1950 onwards and also all may not join schools though they have been living since 1950 in the agency area. The other documents like Births and Death Register, Electoral Rolls are said/reported to have been not available since 1950.</p> <p>In the instant case, the appellant could able to produce documentary evidences from 1961 onwards i.e. through Census and pahani for 1965-66 in which her grandfather Chandya purchased of Acs.6.20 gts. in Madhapur village of Boath Taluq and since then names of her grandfather, father etc. found in the land records till date. As regards their residence in Venkatapur village prior to 1950, the GP resolution and declaration by the village elders aged between 95 years to 80 years, state that the family of the appellant and her fore-fathers are the continuous residents of Venkatapur, in agency village in Neradigonda Mandal.</p>
No relevant documentary evidence has been produced by the applicant to prove residence of her forefather since 1950.	-do-

10. The Census Sheet of 1961 of Venkatapur village, revenue records i.e., Pahani for the years 1965-66, 1969-70, 1984-85, 2012-13, 2013-14, 2015-2016, 2018 and 2019, Electoral Roll 1977, GP resolution and declaration by village elders amply suffice to prove that the applicant and their family members are the residents of Venkatapur, an agency village in Neradigonda Mandal of Adilabad District since 26-01-1950.

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11. Government after careful examination of the documents available on record, documents submitted by the Appellant along with the Appeal petition, during hearing on 5.9.2020 and also in the light of the interim orders of the Hon'ble High Court of Judicature at Hyderabad for the State of Telangana and the State of Andhra Pradesh passed in IA No.1 of 2018 in WP No.31426 of 2018, dated 5.9.2018 and in IA No.1 of 2018 in WP. No.32413 of 2018, dated 14.9.2018, it is found that the Appellant and his/her forefathers have been residing in Venkatapur village of Neradigonda Mandal in Adilabad District, which is in scheduled area. As such the LSTAC bearing No Rc.No. C/292/2019, dated 04.01.2019 issued by Tahsildar Neradigonda Mandal to the Appellant Jadhav Mounika D/o Bhojya R/o Venkatapur village of Neradigonda Mandal, Adilabad District, is found genuine and valid.

12. Accordingly, Government hereby set aside orders of the District Collector, Adilabad in Procs. Rc.No.C3/2596/2019-42, dated 30.01.2020, and allow the Appeal Petition filed by Jadhav Mounika D/o Bhojya R/o Venkatapur village of Neradigonda Mandal, Adilabad District.

13. The District Collector, Adilabad District shall take further necessary action accordingly.

**(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)**

**Dr. CHRISTINA Z.CHONGTHU  
SECRETARY TO GOVERNMENT**

To  
The District Collector, Adilabad District  
Jadhav Mounika D/o Bhojya R/o Venkatapur village of  
Neradigonda Mandal, Adilabad District.

Copy to:

1. The Secretary, Telangana State Public Service Commission, Hyderabad (for information & necessary action)
2. The Project Officer, ITDA Utnoor, Adilabad District (for information & necessary action)
3. The District Educational Officer, Adilabad (for information & necessary action)
4. The PS to Hon'ble Minister for ST Welfare for information.
5. The PS to Secretary (TW)
6. SF/SC.

**//FORWARDED:: BY ORDER//**

**SECTION OFFICER**